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8 Attorneys for LDS and Donald C. Fossum

9
 10 UNITED STATES DISTRICT COURT
 11 FOR THE EASTERN DISTRICT OF WASHINGTON

12 THOMAS A. WAITE,

13 Plaintiff,

14 vs.

15 THE CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH
 16 OF JESUS CHRIST OF LATTER DAY SAINTS, a Utah corporation; THE CORPORATION OF THE PRESIDENT OF THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS, a Utah corporation; DONALD C. FOSSUM; and STEVEN D. BRODHEAD,

17 Defendants.

18 Case No.: CV-05-399-EFS

19 DEFENDANTS' MOTION TO EXTEND EXPERT DISCLOSURE DATE FOR NEUROPSYCHOLOGY OPINIONS

20 I. RELIEF REQUESTED

21 Defendants move the Court to extend the time to disclose neuropsychology opinions from February 16, 2007 to March 5, 2007.

22 II. GROUNDS

23 The parties stipulated that Mr. Waite would undergo an Independent Medical Examination ("IME") with neuropsychologist Frederick Wise, Ph.D. The testing was scheduled for February 7 and 8, 2007. Due to no fault of the parties, Dr. Wise had a scheduling conflict. The next available date for Plaintiff's

24 DEFENDANTS' MOTION TO CONTINUE

25 EXPERT DISCLOSURE DATES FOR NEUROPSYCHOLOGY ...- 1

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27
 28 WITHERSPOON, KELLEY, DAVENPORT & TOOLE
 A PROFESSIONAL SERVICE CORPORATION
 ATTORNEYS & COUNSELORS

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1 IME was February 23 and 24, 2007. Dr. Wise will be able to complete his report
 2 no later than March 5, 2007.

3 **III. BASIS**

4 This motion is based upon the Affidavit of Ross P. White, Defendants'
 5 Memorandum in Support of Motion To Extend Expert Disclosure Date For
 6 Neuropsychology Opinions and the files and records herein.

7 DATED this 14th day of February, 2007.

8 **WITHERSPOON, KELLEY, DAVENPORT
 & TOOLE**
 9

10 By: /s/ Ross P. White
 11 Brian T. Rekofke, WSBA No. 13260
 12 Ross P. White, WSBA No. 12136
 13 Attorneys for LDS and Donald Fossum

14 **PAIN, HAMBLEN, COFFIN, BROOKE
 & MILLER**

15 By: /s/ Andrew Smythe
 16 Andrew C. Smythe, WSBA No. 7948
 17 Attorneys for Steven D. Brodhead

28 DEFENDANTS' MOTION TO CONTINUE
 EXPERT DISCLOSURE DATES FOR NEUROPSYCHOLOGY ...- 2

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CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of February 2007:

1. I electronically filed the foregoing **Defendants' Motion to Extend Expert Disclosure Date for Neuropsychology Opinions** with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following:

(for Waite) Richard C. Eymann and Stephen L. Nordstrom;
(for Brodhead) Andrew C. Smythe
 2. I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants at the address listed below: **None**.
 3. I hereby certify that I have hand delivered the document to the following participants at the addresses listed below: **None**.

/s/ Ross P. White

Ross P. White
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DEFENDANTS' MOTION TO CONTINUE

EXPERT DISCLOSURE DATES FOR NEUROPSYCHOLOGY ...- 3

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